



Entered on Docket  
April 21, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,  
USA Capital Realty Advisors, LLC,  
USA Capital Diversified Trust Deed Fund, LLC,  
USA Capital First Trust Deed Fund, LLC,<sup>1</sup>  
USA Securities, LLC,<sup>2</sup>  
Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING FIFTH  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED, IN WHOLE OR IN PART,  
UPON INVESTMENT IN THE  
HASLEY CANYON LOAN**

Hearing Date: April 17, 2008  
Hearing Time: 10:30 a.m.

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's Fifth Omnibus  
2 Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon  
3 Investment in the Hasley Canyon Loan (the "Objection") [DE 5920]. Adequate notice of  
4 the Objection was given. The Court heard the Objection on April 17, 2008. No responses  
5 were filed to the Objection and no opposition was raised at the hearing. Good cause  
6 appearing,

7 IT IS ORDERED:

- 8
- 9 • Sustaining the Objection;
  - 10 • Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they  
11 are based upon an investment in the Hasley Canyon Loan. The Proofs of Claim  
12 listed in Exhibit A are not affected by this order to the extent they are based  
13 upon an investment in a loan(s) other than the Hasley Canyon Loan; and
  - 14 • Reserving the right of any party in interest, including the USACM Trust, to  
further object to the Proofs of Claim listed on Exhibit A attached.

15 ###

16 PREPARED AND SUBMITTED:

17 **LEWIS AND ROCA LLP**

18 By: /s/ RC (#0006593)

19 Susan M. Freeman

20 Rob Charles

21 John Hinderaker

22 *Attorneys for USACM Liquidating Trust*

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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
John Hinderaker  
*Attorneys for USACM Liquidating Trust*

**HASLEY CANYON  
Multiple Loan Claims**

**EXHIBIT A  
FIFTH OMNIBUS OBJECTION**

<b>Claim</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Hasley Canyon Loan</b>
<b>10725-02353</b>	Musso Living Trust Dtd. 11/30/92	Walter and Barbara Musso Ttees P.O. Box 2566 Avila Beach, CA 93424	\$623,004.79	\$50,000.00
<b>10725-02026</b>	Richard and Michele Nevins Jt. Ten.	1547 Bob Goalby Lane El Paso, TX 79935	\$1,399,379.81	\$525,000.00
<b>10725-01175</b>	John Nix	836 Temple Rock Court Boulder City, NV 89005	\$710,937.34	\$50,000.00
<b>10725-01736</b>	Olga O'Buch Trust Dtd 5/28/98	c/o Olga O'Buch Trustee 140 Gazelle Road Reno, NV 89511-6642	\$241,667.00	\$27,875.00
<b>10725-00550</b>	Patti Page	1225 Triumph Court Las Vegas, NV 89117	\$200,000.00	\$100,000.00
<b>10725-01878</b>	Dennis Raggi	P.O. Box 10475 Zephyr Cove, NV 89448	\$10,451.54	Unclear
<b>10725-01880</b>	Dennis Raggi	P.O. Box 10475 Zephyr Cove, NV 89448- 2475	\$15,819.84	\$8,302.63
<b>10725-02226</b>	Dennis Raggi	P.O. Box 10475 Zephyr Cove, NV 89448	\$2,442,034.35	\$300,000.00
<b>10725-01419</b>	S&P Davis Limited Partnership	6816 Citrine Drive Carlsbad, CA 92009	\$419,981.00	\$12,500.00
<b>10725-02428</b>	Tiki Investment Enterprises LP	2578 Highmore Avenue Henderson, NV 89052	\$1,200,128.00	\$77,000.00